



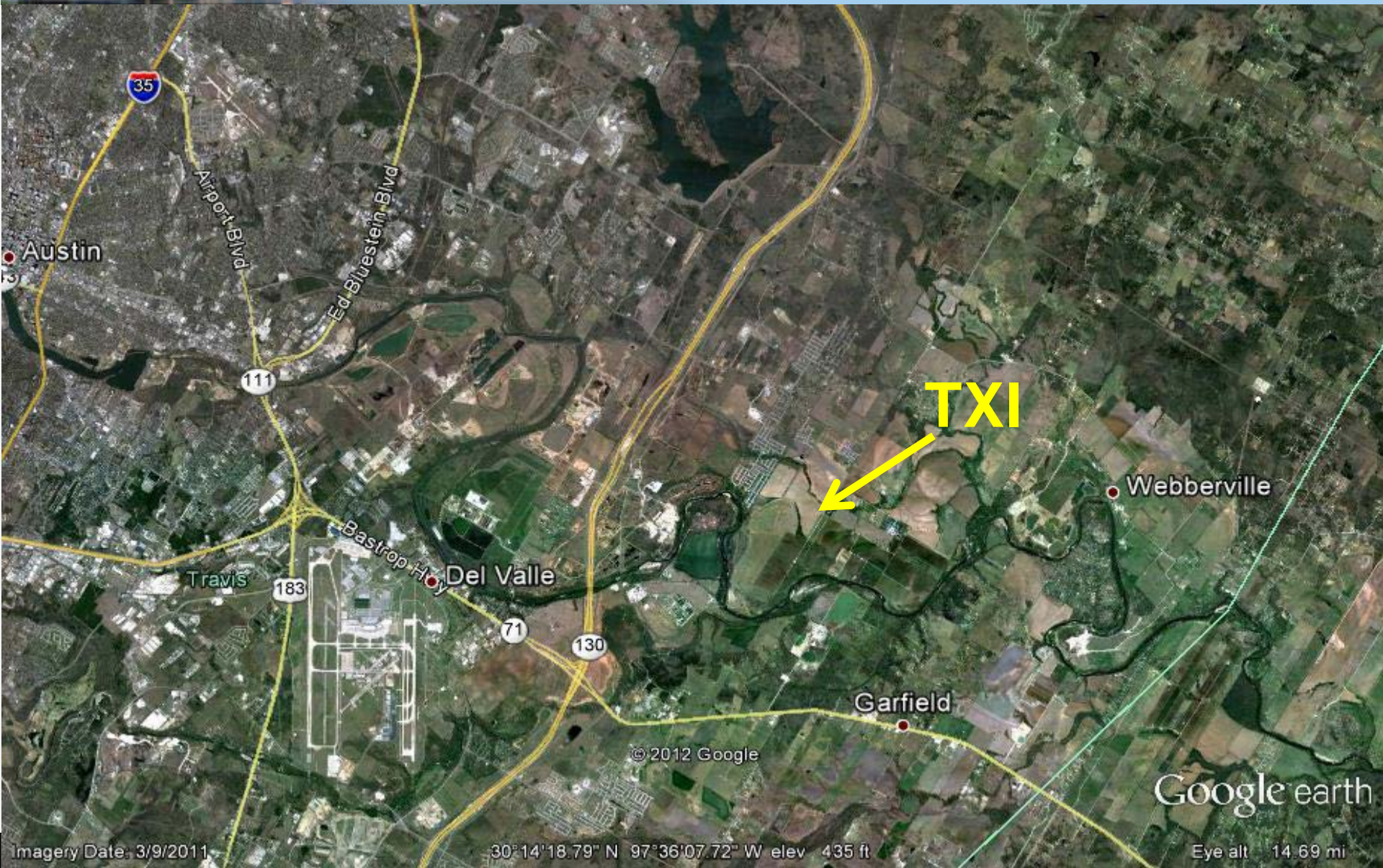
TXI: Ordinance to Provide Variances for Internal Haul Road

**Presentation to Zoning & Platting Commission
October 2, 2012**

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Department**

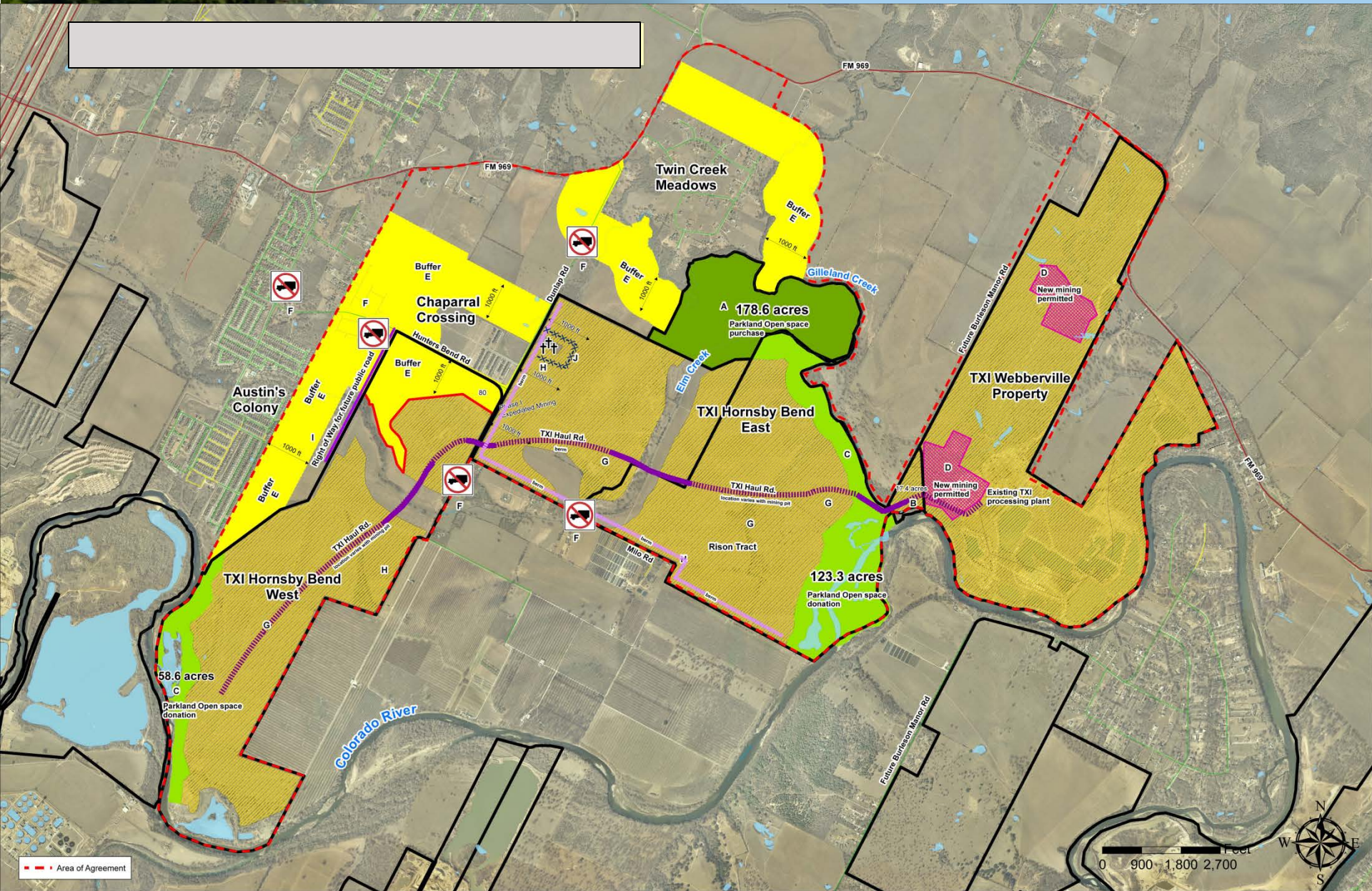


Area Map





TXI Sites





Background

December 2011 proposal by County for tri-party agreement

- TXI currently has approved site plans for mining
- TXI internal road and possible conveyor
- County would acquire certain TXI properties for open space
- Internal road requires revisions to TXI site plans
- City variances necessary due to creek crossings



Background

- Council was briefed by Travis County on May 24, 2012 and directed staff to negotiate agreement
- During negotiation decision made to create an ordinance rather than including the City directly in the agreement



Background

Why an ordinance?

- Vast majority of proposed agreement addresses non-City issues
- TXI site plan revisions won't be ready for some time, but TXI needs certainty to move forward now with real estate transactions
- Ordinance provides mechanism for variance approval prior to site plan submittal
- Ordinance process provides review similar to typical Land Use Commission variances



Ordinance Summary

Ordinance includes 6 variances

- 4 environmental (CWQZ, cut, fill, CEF)
- 1 for site plan expiration
- 1 to set 2010 regulations to apply to 2 unpermitted parcels

Variances are only in effect if:

- TXI site plan revisions comply with all City variance conditions
- TXI and County agreement is executed and escrow requirements are met



Ordinance Summary

- Internal road will be submitted as a future revision to existing site plans
- Ordinance sets conditions to mitigate environmental impacts of variances
- Conditions are similar to variances on other projects for cut/fill, construction in critical, and CEF buffer modification
- Open space is considered to be part of the variance mitigation



Ordinance Summary

Site plan expiration

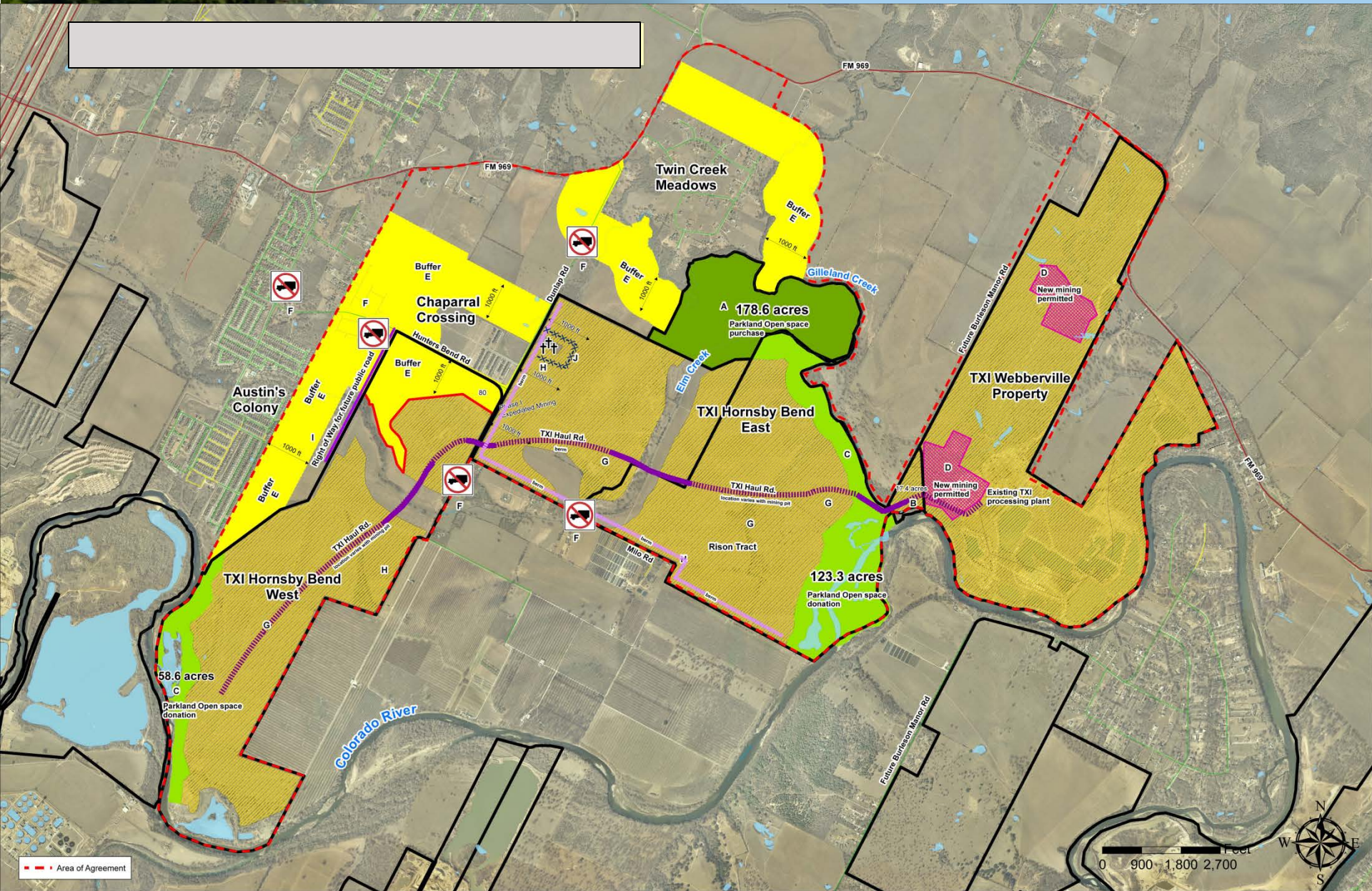
- Site plans expire after 3 years unless construction is underway with no break longer than 180 days
- Ordinance would provide a 12 month period rather than 180 days

Set 2010 regulations to apply to 2 unpermitted parcels

- Tracts are surrounded by larger, permitted mining tract
- TXI is selling to County 178 ac. permitted in 2010



TXI Sites





Ordinance Process

Ordinance will go to:

- Environmental Board – Review and recommendation on environmental variances
- Zoning and Platting – October 2nd, Review and recommendation
- City Council – October 11th, Approval

There will be an opportunity for public comment at each of these meetings



Summary

- Ordinance facilitates removal of trucks from public roads
- Ordinance facilitates County acquisition of open space
- Ordinance environmental variance conditions are typical of other projects
- Ordinance only in effect if all conditions are met and County/TXI agreement is fulfilled